

Appl. No. 10/731,333
Docket No. 9133M
Amdt. dated 5/25/06
Reply to Office Action mailed on 3/1/06
Customer No. 27752

REMARKS/ARGUMENTS

Claims 1 and 9 have been amended herewith to specify the nature of the polymeric/oligomeric portion of the functionalized material. Basis is at page 6, lines 30-33 and Claims 3 and 11.

Claims 1, 9 and 20 have been amended to specify that the functionalized material comprises both sulfonate and carboxylate moieties. Basis is at page 8, lines 16-25 and in the Examples (beginning page 17) which are both sulfated and carboxylated. (Note, that sulfonating at an OH moiety such as in cellulose yields a sulfate group, which can be said to be an O-sulfonate moiety, per the claims.)

Claims 2, 3, 8, 10 and 11 have been cancelled herewith, without prejudice, as being redundant in view of the aforesaid amendments. Various other claims have been amended to recite their correct dependencies and to correct matters of grammar.

Claim 18 has been amended to remove the redundant language.

It is submitted that all amendments are fully supported and entry is requested.

Rejections Under 35 USC §112

Various claims have been objected to or rejected under §112, for reasons of record at pages 2-3 of the Office Action.

It is submitted that the objection to Claim 18 has been overcome by the present Amendment.

It is submitted that the cancellation of Claim 2 obviates that rejection.

Claim 19 has now been amended to depend from Claim 18, per the Examiner's helpful suggestion.

It is submitted that all claim dependencies are now correct.

In light of the foregoing, withdrawal of all objections/rejections under §112 is requested.

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Rejection Under 35 USC §102/103

All claims stand rejected over US 2002/0077264 under §102 or, in the alternative, §103, for reasons of record at pages 4-5 of the Office Action.

Claims 1-3, 6-11 and 14-20 stand rejected over US 5,104,584 under §102 or, in the alternative, §103, for reasons of record at pages 5-7 of the Office Action.

Applicants respectfully traverse all rejections under §102 or §103, to the extent they may apply to the claims as now amended.

With regard to US '77264, it is submitted that the passage [0085] cited by the Examiner does not teach (§102) or suggest (§103) polymers or oligomers of the present type which are functionalized by being both sulfonated and carboxylated. Indeed, [0085] specifies that Z is carboxylate, sulphonate, sulfate or phosphonate. Accordingly, the §102 rejections should be withdrawn.

Moreover, since nothing in US '77264 suggests the functionalized polymers/oligomers herein, it is not surprising that nothing in that document suggests that such materials would be in any way useful for inhibiting scale, film or spot formation, in the manner of the present invention. Said another way, absent that information, nothing in US '77264 would suggest modifying the materials disclosed therein to achieve this desired result. Absent such suggestion or motivation, it is submitted that the rejections under §103 are not supported. Withdrawal of the rejections under §103 are also requested.

The same considerations hold true with respect to the §102 and §103 rejections over US '584. That patent relates to lignosulfonic acid or its salts and esters (Abstract) but does not appear to contemplate or suggest the carboxylated-plus-sulfonated oligomers/polymers herein. Absent some disclosure of such materials, it is submitted that the rejection under §102 cannot stand. Moreover, absent some suggestion of the desirability of such materials, it is submitted that a *prima facie* case of obviousness under §103 has not been made. Reconsideration and withdrawal of all rejections are therefore requested.

In light of the foregoing, early and favorable action in the case is requested.

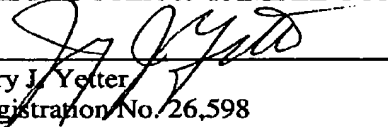
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Respectfully submitted,

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